

**BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS**  
**MINUTES – GENERAL SESSION**

*January 9, 2014*

**Members Present**

Michael Fedorczyk, DC, Board President  
Jonathan Nou, DC, Board Vice President  
Robert Frieman, DC, Board Treasurer  
Stephanie J. Chaney, DC, Fmr Board President  
Michael Moskowitz, DC  
Gwenda Harrison, LMT  
David Cox, LMT  
Gloria Boddie-Epps, Consumer Member  
Ernestine Jones Jolivet, Consumer Member

**Non-Members Present**

James Vallone, Executive Director  
Adrienne Congo, Deputy Director  
Grant Gerber, Esq., AAG, Board Counsel  
James Gamble, Admin Specialist II  
Michelle Czarnecki, Compliance Manager  
Tim McKenna, MCA  
Sen. Sharon Bloom Hollinger, DHMH  
Kristen Neville, DHMH

**Members Absent**

Karen Biagiotti, LMT

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Dr. Michael Fedorczyk called the meeting to order at 10:02am

**Review of Agenda and Minutes**

The January 9, 2014 agenda was reviewed by the Board and the following revisions were suggested:  
(1) Addition of #12 Application of Preceptorship Reevaluation, Dr. Jeffrey C. Michael D.C., (Extern Sarah C. Kernan).

Dr. Frieman moved to approve the January 9, 2014 Agenda with those revisions; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

The December 12, 2013 Board minutes were reviewed by the Board. Dr. Frieman moved to approve the December 12, 2013 Board Minutes as written; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

**a) Important Revisions to Code of Maryland Regulations**

On January 6, 2014, new regulations will affect both the Board's review and approval of CEU courses. The regulations will also affect the qualifications for applicants for chiropractic licensure. A letter will be issued to all licensed chiropractors, registered chiropractic assistants, licensed massage therapists, and registered massage practitioners that outline these significant changes. Any questions regarding these revisions will be addressed to the Board's compliance manager, Ms. Michelle Czarnecki.

**b) Meeting with Senator Forehand Staff re: Human Trafficking—Initiative relating to energy practitioners.**

Jim Vallone, Executive Director met with Senator Forehand to discuss issues concerning human trafficking and the use of reflexology and acupuncture to avoid the Board's jurisdiction. The discussion was focused on those individuals who are engaging in prostitution under the guise of massage therapy, reflexology, and acupuncture. Mr. Vallone suggested that a revision of the Board's statutory definition of "Massage Therapy" to require exempted energy practitioners to be nationally certified could help to combat the human trafficking issue that has resulted in individuals avoiding the Board's jurisdiction. Under this revision, energy practitioners would have to be nationally certified

under FSMTB and other nationally recognized institutions to operate under the rules of these institutions. This would allow for state law enforcement to monitor these energy practitioners and prevent non-nationally certified individuals from practicing. Mr. Vallone advised the Board that he is currently working with Senator Forehand and her team to draft this revised statute.

**Chiropractic Petitions:**

**a) Application of Preceptorship, Timothy W. Morrison, D.C. (Extern- Jonathan Murphy)**

Dr. Frieman was assigned to accompany Mr. David Ford on his inspection of Dr. Morrison's practice and will report his recommendation to the Board upon completion.

**Massage Therapy Petitions:**

**a) Sylvia Seo, (Massage Applicant) – Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.**

Ms. Seo graduated with 513 hours from Bellevue Massage School in Bellevue, WA. Bellevue Massage School is accredited under the State of Washington.

Based on this information, Dr. Nou moved to waive the accreditation requirement and accept Ms. Seo massage therapy application; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

**Requests for Chiropractic Trade Name Approval:**

The following chiropractic trade name requests were approved by Board motions. Dr. Frieman moved to approve; Dr. Chaney seconded, and the motions were unanimously voted by the Board:

- a) *Healthy Wayz, Chiropractic, Massage, Nutrition* – Theresa Hutzell, D.C.**
- b) *Summit Chiropractic, Inc.* – Tyler Smardzewski**
- c) *Precise Chiropractic & Rehabilitation* – Lief Hands, D.C.**

The following massage therapy trade name requests were approved by Board motions. Dr. Frieman moved to approve; Mr. Cox seconded, and the motions were unanimously voted by the Board:

- a) *Annie's Massage Spa* – XiaRong Liu, RMP**
- b) *MASSAGE BY DAVE* – David Sprouse, LMT**
- c) *Body Mind Spirit MFR +Therapeutic Massage* – Emily Jacobs, LMT**
- d) *Massage on East* – Natalia Ibbott, LMT**

**Federation of State Massage Therapy Boards Annual Meeting- Mr. David Cox, LMT**

Mr. Cox informed the Board of the issues raised during the FSMTB annual meeting held on October 10-12<sup>th</sup>. Mr. Cox informed the Board that the issue of human trafficking and its impact on the Massage Therapy profession was a major point of discussion at the meeting. During the meeting, Mr. Cox was elected to the nominating committee. The next FSMTB conference will be held in Tucson, AZ.

**Discussion of Massage Therapy Schools indicating Ethics Courses on Transcripts**

Discussion on this issue was tabled until February Board meeting.

**Discussion on Dry Needling and Violations of the United States Food, Drug, and Cosmetic Act**

The Board received a letter from Field Jerger, LLP, from Portland, Oregon on behalf of the National Center for Acupuncture Safety and Integrity (NCASI), on the subject of Dry Needling and expressed concern regarding the use of dry needling by chiropractors and other individuals who are not licensed acupuncturists. The NCASI encouraged the Board to carefully review enclosed regulations and other documents related to the regulation of acupuncture needles. The Board discussed this correspondence and affirmed that chiropractors are authorized to use acupuncture needles for dry needling in the State of Maryland. Dr. Chaney moved to take no action regarding this issue; Dr. Moskowitz seconded, and the motion was unanimously approved by the Board.

**Follow-up Discussion of Parental Oversight of Minors at Healthcare Visit**

Discussion on this issue was tabled for the February Board meeting.

**CEU Pre-Approved Provider Petition- Dr. Keith Scott and Associated Bodywork & Massage Professionals (ABMP)**

Dr. Keith Scott petitions the Board to be considered a "Pre-approved Provider" for his chiropractic assistant course.

Dr. Chaney moved to approve Dr. Scott's petition and to add him to the Board's "Pre-Approved Provider" list; Mr. Cox seconded, and the motion was unanimously voted by the Board.

**Application of Preceptorship Reevaluation, Dr. Jeffrey C. Michael D.C., (Extern Sarah C. Kernan)**

Former Board member Dr. Joanne Bushman completed a re-inspection of Dr. Michael's recordkeeping in response to a previous inspection revealing inadequacies in that regard. Board Investigator Mr. Ford informed the Board that during her inspection, Dr. Bushman found that Dr. Michael's recordkeeping issues had been resolved and recommended that he be approved as a preceptor. Mr. Ford concurred with Dr. Bushman's recommendation.

Based on this information, Dr. Frieman moved to approve Dr. Jeffrey Michael, D.C.'s application for preceptorship for Sarah C. Kernan; Dr. Chaney seconded, and motion was unanimously voted by the Board.

***Upon motion by Dr. Frieman, seconded by Mr. Cox, the Board unanimously voted to adjourn General Session at 10:55am.***

Respectfully submitted:

  
Robert G. Frieman, D.C.

Board Secretary/Treasurer